

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
WINSTON-SALEM DIVISION

IN RE:	)	
	)	
CAROLE LYNN DOSE'	)	Case No. 19-50249
	)	Chapter 7
Debtor.	)	

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**RESPONSE AND OBJECTION BY TRUSTEE TO MOTION BY NATIONSTAR  
MORTGAGE LLC FOR RELIEF FROM THE AUTOMATIC STAY**

Comes Now Daniel C. Bruton, Chapter 7 Trustee, and responds to the Motion for Relief from the Automatic Stay of Section 362 or in the Alternative Adequate protection [DOC # 15] (the "Stay Motion") filed by Nationstar Mortgage, LLC d/b/a Mr. Cooper on April 19, 2019, and in support thereof, shows the Court as follows:

1. The above Debtor filed for relief from stay under Chapter 7 of the Bankruptcy Code on March 14, 2019.
2. Daniel C. Bruton is the duly appointed Chapter 7 trustee.
3. In her bankruptcy schedules, the Debtor lists an ownership interest in certain real property located at 354 Briercreek Road, Advance, Davie County, North Carolina (the "Real Property"). In her bankruptcy schedules the Debtor values the Real Property at \$212,810.00, which, upon information and belief, is the tax value of the Real Property.
4. The Debtor has not claimed an exemption in the Real Property.
5. According to the Stay Motion, Nationstar is the beneficiary of a deed of trust against the Real Property which secures a promissory note executed by the Debtor with an outstanding payoff balance of \$165,647.90.
6. The Debtor and the bankruptcy estate hold significant equity in the Real Property.
7. In the Stay Motion, Nationstar asserts that it is entitled to relief from the automatic stay, for cause, pursuant to 11 U.S.C. § 362(d)(1), due to a lack of adequate protection.

Nationstar's interest in the Real Property is adequately protected due to the existence of a substantial equity cushion in the Real Property.

WHEREFORE, the Trustee respectfully requests that the Stay Motion be denied and that the Trustee be granted such other and further relief as this Court deems appropriate and just.

This the 22<sup>nd</sup> day of April, 2019.

/s/ Daniel C. Bruton

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Daniel C. Bruton, NCSB No. 22440

Attorney for the Trustee

OF COUNSEL

Bell Davis & Pitt, PA  
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**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that on the below date, the undersigned served a copy of the **RESPONSE AND OBJECTION BY TRUSTEE TO MOTION BY NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER FOR RELIEF FROM THE AUTOMATIC STAY** by electronic means or by depositing the same, enclosed in a postpaid wrapper, properly addressed to the following parties in interest, at their last known addresses as shown below, in a post office or official depository under the exclusive care and custody of the United States Postal Service:

Andrew Lawrence Vining Shapiro & Ingle, LLP 10130 Perimeter Pkwy, Suite 400 Charlotte, NC 28216	Via CM/ECF
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D. Barrett Burge 514 S. Stratford Road, Suite 333 Winston-Salem, NC 27103	Via CM/ECF
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This the 22<sup>nd</sup> day of April, 2019.

/s/ Daniel C. Bruton  
\_\_\_\_\_  
Daniel C. Bruton  
Attorney for Trustee  
100 N. Cherry St, Suite 600  
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